

ASSEMBLYMAN DEMAREST
ARRESTED FOR FUGGERY.

He Confesses to Having Swindled the
Union Steamboat Company by Rais-
ing Three Tax Bills and
Pocketing \$1,333.

PROMPTLY PAID UP WHEN CAUGHT.

His Downfall as Democratic Leader of Rock-
land County Complete and Disastrous
After a Successful Political Career.

EFFECT ON THE SENATORIAL CANVASS

[BY TELEGRAPH TO THE HERALD.]

NYAC, N. Y., Jan. 16, 1891.—Assemblyman Frank P. Demarest, of Rockland county, was arrested at his home, at Montross, at half-past one o'clock this morning, charged with forgery.

The warrant was issued by Justice W. H. Bannister, of Nyack, a political protégé of Demarest, on the affidavit of John T. Gardiner, school tax collector of Upper Nyack, charging Demarest with forging Gardiner's name on checks given for the payment of taxes by the Union Steamboat Company, of Buffalo, and on receipts for the same.

Demarest has been for several years counsel for the Union Steamboat Company, who have their principal office at Upper Nyack for the purpose of avoiding the payment of higher taxes elsewhere. Demarest has been in the habit of securing the company tax bills from the collector and receiving the checks therefor. It is now charged that he raised the amount of the bills, received the money for payment from the company, forged Gardiner's name on the receipts and checks and pocketed the difference between the amount of the true and false bills.

THE SPECIFIC CHARGE.

The case specified by Mr. Gardiner in his affidavit on which the warrant was secured is that of the school tax of 1890. The true bill was \$690.84. Demarest raised it to \$1,145.24. The company gave him a check payable to Gardiner's order for the latter amount. Demarest received in Gardiner's name on the receipts and checks and pocketed the difference between the amount of the true and false bills.

It was shown that in like manner he raised the school tax bill of 1889 from \$600 to \$833.25, and the Upper Nyack incorporation tax bill of 1890 from \$888.90 to \$1,333.20. In these two cases he paid to Upper Nyack the true amount of taxes and pocketed the difference.

His method of procedure was to raise the assessments as appeared on the tax receipt about fifty per cent on a valuation of \$100,000.

The total amount of the defalcation is \$1,316.99.

TRAIL.

John Turnbull, private secretary of President King, of the Erie Railroad, came to Nyack yesterday and engaged ex-District Attorney Snyder to guard the company's interests. After their consultation the warrant was secured and placed about midnight in the hands of Constable Lubbe, who, falling to find Demarest in Nyack, went to Montross and arrested him at his home.

"The Little Giant," as his followers fondly term him, was brought to Nyack at an early hour this morning. He at once made overtures for payment of the money embezzled from the company. As Mr. Turnbull refused to accept anything but a certified check, Constable Lubbe and Mr. Demarest roused Cashier John M. Gesner, of the Nyack National Bank, to obtain the certification of a check, which Mr. Turnbull accepted.

Meantime the Assemblyman, evidently through democratic courtesy, is running around loose on his own recognizance.

He disappeared from Nyack early in the day and attempts to secure an interview were fruitless.

His political career at an end, he is now to the future action of the Union Steamboat Company or Collector Gardiner, but every one concedes that Demarest's political life is at an end.

He has been a prominent figure in Rockland county politics for twelve years. He is thirty-eight years of age and a lawyer. He began his political career as a member of the Assembly Committee on Privileges and Elections in 1870. He has been for eight years Supervisor of the town of Clarkstown, was a delegate to the Democratic State conventions of 1882, 1885, 1888 and 1890, and is now serving his third term as a member of the Assembly from the second district. He was elected last fall by a plurality of 869.

He has also been for six years president of the Rockland County Industrial Association and has been a strong political pull with the farmers. It is said that his strength in Clarkstown has been largely due to his influencing the Union Steamboat Company to establish their headquarters in the town, as the comparatively large assessment and tax of the company made the burden lighter for the farmers.

Demarest's energy and genial manners also made him very popular, and his political sagacity is acknowledged by even his bitterest enemies. He is a warm personal friend of Governor Hill, and his recent appointments on important Assembly committees indicate his standing at the Capitol. He is chairman of the Committee on Taxation and member of the Ways and Means Committee and Committee on State Prison.

This episode is likely to revolutionize the political aspects of Rockland county. The political rest was the acknowledged leader of the democratic forces and certainly would have secured within the next few years both State Senatorial and Congressional nominations. Democrats are everywhere discussing the situation, but few facts are publicly known to-night. Demarest's friends are making heroic efforts to suppress the matter and the wires are hot with messages.

Demarest is also owner of the Nyack Democrat, a strong party organ edited by Judge Kelly, and the trouble may seriously affect the paper.

The Assemblyman is a widower with one child, a daughter ten years old. He is the cousin-in-law of Captain Abram Knapp, of Montross, and a nephew of ex-District Attorney Abram A. Demarest, of Montross.

PROSECUTION TO FOLLOW.

Tax Collector Gardiner to-night announces his determination to prosecute Demarest. If he does the case will go before the Grand Jury on January 26.

At a late hour to-night there are rumors of more serious developments. It is said that Demarest has been allowed to go away without giving bonds, is severely commented upon by everybody. His friends claim he has not run away, but will return to face the music.

DEMAREST NEEDED IN THE ASSEMBLY UNTIL

THE SENATORIAL ELECTION IS OVER.

[BY TELEGRAPH TO THE HERALD.]

ALBANY, N. Y., Jan. 16, 1891.—The news of the arrest of Assemblyman Frank P. Demarest, of Rockland county, to-day at Nyack on the charge of forgery and embezzlement, created a decided sensation here in political circles, coming as it does on the eve of the Senatorial election. Many, forgetting for the moment that forgery is a bailable offense, began to speculate whether the arrest would prevent the attendance of Mr. Demarest here next week. The democratic majority on joint ballot is so slender that some fear exists lest something be done to prevent a full democratic attendance.

But democratic leaders at once explained that the great Mr. Demarest, even on a criminal charge, would in no wise interfere with the democratic majority in the Legislature, for if he could not secure bail himself the party leaders would see that it was secured for him without delay.

Even should the charge prove to be true the democrats of the Assembly must stand by Demarest for the present, for they cannot do without him, and every vote on joint ballot counts for a majority. In the eyes of the law a man is innocent until proven guilty and the democrats of the Assembly will raise this plea in Mr. Demarest's behalf.

Later, when some of the republicans whose seats are contested have walked the plank, Assemblyman Demarest, if found guilty, may be sent after them.

HILL NOT DISCOURAGED.

I found Governor Hill not in the least discouraged by the bad news.

"I hope," said he, "it will turn out to be a mistake. It is unfortunate that it should happen just at this juncture. Still, Mr. Demarest's troubles will not embarrass the party in the least. He can

secure bail and return to his seat, and participate in the Senatorial election.

"I trust the newspaper reports are exaggerated. At any rate, politics seems to have had nothing to do with it."

QUESTIONS MAY BE ASKED.

There is a rumor to-night that Harry Guenther, of Erie county, who was sick a week ago, but was in his seat in the Assembly on Tuesday, has had a relapse and is very ill in Buffalo. This report excites among the democrats here. If both Demarest and Guenther are still present on Tuesday, next week a full democratic Senate is voted for, no choice can be made. This will prolong the voting and complications may arise.

There is no danger of the republicans carrying off the prize, because they would have to bribe two democrats in order to get the necessary 51 votes. The sailing away of democrats does not help them. It simply embarrasses the democratic party and adds to the interest of an already strange situation.

There is some talk of bribery, but it is absurd, for no republican could afford to accept the office if elected. The reason why he was elected would be to elect a republican to the Senate. Yet I hear men to-night. It is remarkable, "What a chance for some republican with boodle."

BOODLE ALLEGEDLY FLYING ABOUT.

There is talk of "boodle" in another way which is much more important. I have it that a combination of seven democratic Assemblymen has been made to force any one except Hill who wants the Senatorship to pay for it. From what I myself heard I have no doubt but that such a combination has been made.

Talk of this kind will have a tendency to cause the Governor's friends to demand that he accept the Senatorship.

The Senatorial campaign is gaining ground that no such demand is necessary. It is generally believed that Hill has made up his mind to go to the Senate. As one of his friends put it, "There is no other way out of it."

Another rumor—the air is full of them—is to the effect that the Governor has told Mr. Weed that he, the Governor, has concluded to accept the Senatorship, as the best interests of the party seemed to demand it.

On top of this comes the story that Mr. Weed has withdrawn, but his friends here deny that this is true.

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EVA POSES AS A WIDOW
AND SPINS EXPLANATIONS.

Hamilton, She Says, Was Her First and Only
Husband and Josh Mann Was Merely
an Imbecile Under Her Care.

NOT TO BE SHAKEN
IN HER MAIN CONTENTION.

Lawyer Root in Vain Prods Her Memory About
Fast Misdeeds, for She Forgets All That
She Does Not Want to Confess.

Is Eva Josh's wife, or is she the widow of Robert
Ray Hamilton?

The weight of the evidence in the Surrogate's Court yesterday seemed to be in favor of her widowhood, although Eva herself boldly took the witness stand and persistently declared that she was a widow.

She told a remarkable tale in explanation of her intimate relations with Josh Mann. She said he was an imbecile and that she charitably took care of him.

For nearly two hours and a half she combatted the keen cross-questioning of Lawyer Root with shifting and marvellous tales. But of one idea she never lost sight—she was never poor, drunken Josh's wife, never, sir.

The crowding of the little court-room was awful. Hundreds of people stood packed so closely together that it was impossible for those inside the mass to draw a full breath or a handkerchief. The people swayed to and fro and endured torture.

And why? To see the woman who had snared Alexander Hamilton's great-grandson, the Cicerone whose murderous assault on the nurse of her spurious child had driven young Hamilton to the remote Western river whorshin he met his death.

As a spectacle she was not disappointing. Above the medium height of women, muscular but not stout, with a pair of eyes that seemed to stare out of their sockets, she mounted the witness stand without a trace of nervousness.

She drew her heavy widow's cap down over her eyes and looked at the court with a steady gaze. Her right shoulder quite gracefully, thereby revealing a pair of small, dark, round-framed spectacles, which she wore on her nose.

"The register made me by all lines from St. Louis to Chicago previous to the reduced rate authorized by Chairman Finley was \$7.00. One thousand tickets at that rate would be \$7,000. I sold them at \$25 by all other lines. These \$20 million tickets, which should have been sold at \$25 and which should have been made good only for the person named on them, were sold in large numbers to scoundrels with the understanding that no question would be made by anyone by whom they were sold, and that they were to be used to cut the rates from St. Louis to Chicago and Chicago to St. Louis.

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